

Remarks

These remarks are in response to the Office Action mailed on of March 31, 2004. The Office Action has rejected claims 25-31 and 65-68 under 35 U.S.C. 112, first paragraph. For the reasons given below, it is respectfully submitted that this rejection is in error and should be withdrawn. Claims 41-52 and 69-72, which were not elected in the telephone interview of March 25, 2004, have been cancelled and new dependent claims 73-84 have been added.

Claims 25-31 and 65-68 are drawn to the aspect of the present invention primarily described between page 21, line 20, and page 23, line 23, with an exemplary embodiment shown in Figure 9, which is described starting at page 22, line 23. For the aspect of the invention considered in these claims, the subset of the frequency point is split into two groups, where the elements of one group are between pairs of point in the other group. In order to describe the process and refer to these two groups, these are, within a given description, assigned a name: one is called the first group and the other is called the second group.

In the general description of the process, to which the Office Action refers at lines 1 and 2 of page 22, the odd points of the subset are referred to as the first group and the even points of the subset are referred to as the second group. In the claims, the even points of exemplary embodiment correspond to the "first group" and the odd points of exemplary embodiment correspond to the "second group". In this respect the Office Action is correct in so far as the labeling of these two groups in the two locations; however, this is just a matter of antecedent language, which is consistent within each of the two locations and is not cause for a rejection of the claims under 35 U.S.C. 112, first paragraph.

The concept is the same in both cases. For antecedent purposes in the claims, the two groups are labeled as a "first group" and a "second group" so that they can be referred to in the following portions of the claims. Were the names of these groups changed consistently throughout the claims, the meaning of the claims would not change. In this case it would correspond to the usage of the general description at lines 1 and 2 of page 22 of the specification, *but the meaning of the claims would not change*. As the claim is drafted, the designation of the two groups into the "first group" and "second group" was based on which of these two groups was referred to first in the following elements of claim 25 (which is in the "interpolating ..." step); otherwise, the claim would described the function of the "second

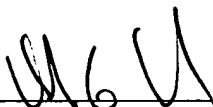
group" prior to describing the function of the "first group", contrary to what is the general practice for the naming of antecedents in claims.

Consequently, it is respectfully submitted that the specification is in fact enabling. The difference in labeling of the "groups" that the Office Action is noting is not a contradiction, but merely a difference in labeling which is consistent within the two locations. In particular, it is believed to be completely consistent in the claims in and of themselves, where, in the exemplary embodiment, the "first group" and "second group" of the claims respectively correspond to the even and odd points found in the description of Figure 9 presented from page 22, line 23, to page 23, line 23, of the present application. If the Examiner has any confusion on this subject, a telephone call to the undersigned would be welcome to discuss these issues.

New claims 73-84 have been added in the present Amendment. These are all dependent claims that are the same as previously pending dependent claims 26-31, except that they depend on either independent claim 65 or independent claim 67 instead of claim 25.

Consequently, it is respectfully submitted that a rejection of claims 25-31 and 65-68 under 35 U.S.C. 112, first paragraph, is not well founded and that, for the reasons stated above, these claims are believed allowable. Reconsideration of claims 25-31 and 65-68, and consideration of new claims 73-84, is respectfully requested and an early indication of their allowability is earnestly solicited.

Respectfully submitted,



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